

IP FUN FACTS FOR SONGKRAN

For Thai people, Songkran is one of the year's most anticipated holiday seasons, and it is the longest holiday in the whole year. It is fun and cool with all the water splashing!

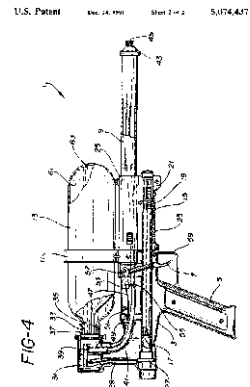
We at **USPTO** are always saying that intellectual property is all around us. So we will take a look at the things we normally think about in Songkran and show you what is protected and what is not when it comes to the Songkran festival!

1. **The Festival** - There was a dispute raised by the Tourism Authority of Thailand couple of years ago against an event organizer in Singapore about whether the festival is copyright protected and owned by Thailand?

The simple answer is **no**. Traditional festival activity is not a work that can be protected by copyright. Not to mention that Songkran is a traditional festival shared by many countries and cultures throughout Southeast Asia. So it is actually very hard to be certain which country actually started, let alone owns, the festival.

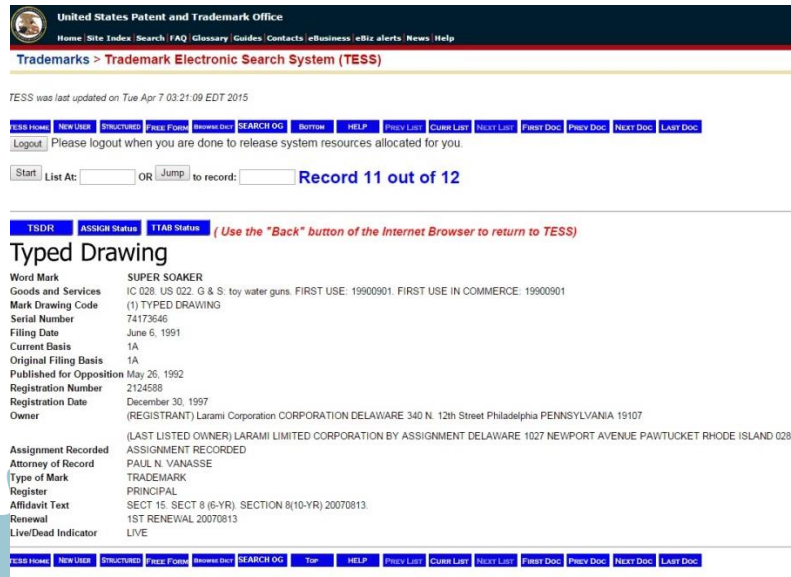
2. **Songkran music** – One of the most famous Thai Songkran songs, “*Ramwong Rueng Songkran*”, was composed by Mr. Eua Sunthornsanan, who has been honored by the United Nations Educational, Scientific and Culture Organization (UNESCO) as a world personality on the list of the Anniversary of World Personalities and Historic Events. Under Thai law, the term of copyright protection is for 50 years after the death of the author, so while Khun Eua died, the song is still copyright protected.

3. **Water guns** – there are many variety of water guns used in Songkran activities. However, the one that has become quite popular nowadays is actually based on the **Super Soaker®** water gun which received a patent in the U.S. (the patent was filed on September 6, 1990). The **Super Soaker®** was invented by an American inventor named Lonnie George Johnson. His inspiration for the water gun came when he accidentally shot a stream of water across his bathroom while doing an experiment for the eco-friendly heat pump.



The gun has held its ranking among the world's top 20 best-selling toys every year since it came on the market. Since patent protection lasts for only 20 years from the date of the filing of an application, it is no longer protected under patent law. But its registered trademark of **Super Soaker®**, obtained in 1991, is still valid and protectable.

<http://www.google.com/patents/US5074437>



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Typed Drawing

Word Mark SUPER SOAKER
Goods and Services IC 028, US 022, G & S: toy water guns, FIRST USE: 19900901, FIRST USE IN COMMERCE: 19900901
Mark Drawing Code (1) TYPED DRAWING
Serial Number 74173646
Filing Date June 6, 1991
Current Basis 1A
Original Filing Basis 1A
Published for Opposition May 26, 1992
Registration Number 2124588
Registration Date December 30, 1997
Owner (REGISTRANT) Larami Corporation CORPORATION DELAWARE 340 N. 12th Street Philadelphia PENNSYLVANIA 19107
(LAST LISTED OWNER) LARAMI LIMITED CORPORATION BY ASSIGNMENT DELAWARE 1027 NEWPORT AVENUE PAWTUCKET RHODE ISLAND 02862

Assignment Recorded
Attorney of Record ASSIGNMENT RECORDED
Type of Mark TRADEMARK
Register PRINCIPAL
Affidavit Text SECT 15, SECT 8 (6-YR), SECTION 8(10-YR) 20070813
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Live/Dead Indicator LIVE

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4. **Nam Aob** - "Nam Aob" is a kind of Thai traditional fragrant water made from dozens of fresh aromatic flowers and spices. It is one of the most common items during Songkran, as you will be able to see (or smell) it everywhere because Thai people will mix it with water and use it in several ways.

There are many brands of **Nam Aob** in the market, all of which actively protecting their trade secrets as to the exact ingredients or manufacturing process, but the most well-known is "**Nangloy (Flying Angel)®**" which provides a unique scent from the combination of its secret ingredients. While the brand was launched almost a hundred years ago, it has been registered as a trademark in Thailand since 2001.



5. **Floral Design shirts** – Songkran is simply not Songkran without people wearing floral shirts! Intellectual property protection in fashion can be a bit tricky. However, if the floral pattern is original, it is possible to receive copyright protection for it. To enforce that right, you would have to prove that the unfair competitor's floral pattern design is actually a substantially similar copy your protected design.